THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.5289 OF 2006

Dt.18.3.2006

Between:

Malluboina Rosaiah and others …Petitioners

And

The District Collector, Kadapa,

Kadapa District and others …Respondents

ORDER:

Petitioners seek writ of mandamus declaring the inaction on the part of respondent Nos.1 to 3 in disposing of the representation dated 13.2.2006 as illegal and arbitrary.

Petitioners are the residents of Nagavaram village, Chitvel Mandal, Kadapa District. The case of the petitioners is that there is land to an extent of Ac.1.17 cents in Sy.No.73/B2 and Ac.2.01 cents in Sy.No.673-B (total to an extent of Ac.3.18 cents) situated at Nagavaram village which is classified as Rastha Poramboke and Vanka Poramboke and the people of the said village are using the said land as per its classification. The said land is also used for rastha and a portion of the land is also used for burial ground. While so, the 4th respondent is making attempts to occupy the said land without any justification whatsoever. It is stated that the said land is not assigned in favour of any body and it is used for public purpose. Aggrieved by the action of the 4th respondent, the petitioners made a representation before the District Collector, Kadapa on 13.2.2006 to take appropriate action against the 4th respondent for protection of the land in question.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case as to whether the 4th respondent has got right, title and interest over the said property and whether the said property is classified as Rastha Poramboke

and Vanka Poramboke, as the representation filed by the petitioners is pending before the first respondent, the first respondent is directed to consider and dispose of the said representation dated 13.2.2006 within eight weeks from the date of receipt of a copy of this order after giving reasonable opportunity to the petitioners as well as to the 4th respondent in accordance with law.

The writ petition is accordingly disposed of. No order as to costs.

V.ESWARAIAH, J.

18.3.2006

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